



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 22 2008

C. Richard Cranwell, Chairman
Democratic Party of Virginia
1710 E. Franklin Street
Richmond, VA 23223

RE: MUR 5958

Tom Davis for Congress and Mary Jane Sargent,
in her official capacity as treasurer

Dear Mr. Cranwell:

This is in reference to the complaint you filed with the Federal Election Commission on December 6, 2007, concerning Tom Davis for Congress and Mary Jane Sargent, in her official capacity as treasurer ("Tom Davis for Congress Committee"). Based on the allegations contained in the complaint, and information supplied by the Tom Davis for Congress Committee, the Commission, on December 11, 2008, voted to dismiss this matter. The Factual and Legal Analysis, which more fully explains the Commission's decision, is enclosed for your information. At the same time, the Commission admonished the Tom Davis for Congress Committee that the failure to include a disclaimer on all public communications paid for with federal campaign funds is a violation of 2 U.S.C. § 441d(a).

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan
General Counsel

BY:


Sidney Reeks
Assistant General Counsel

Enclosure

Factual and Legal Analysis

29044223807